

IN RE: PETITIONS FOR SPECIAL EXCEPTION * BEFORE THE
AND ZONING VARIANCE - S/S Red * DEPUTY ZONING COMMISSIONER
Sun Boulevard, 1700' E of the * OF BALTIMORE COUNTY
c/l of Owings Mills Boulevard (Exxon Station at Red Run Blvd.)
4th Election District - 3rd Councilmanic District * Case No. 92-295-XA
Painters Mill Joint Venture *
Petitioner * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Exception and a Petition for Zoning Variance filed by the Legal Owner, Painters Mill Joint Venture, by F. Barton Harvey, Jr., General Partner, and the Contract Purchaser, Exxon Corporation, by and through their attorney, James W. Brooks, Jr., Esquire. The Petitioner requests approval of an automotive service station with a food store containing 1,431 sq.ft. of retail sales area, pursuant to Section 405.4(D)(8) of the Baltimore County Zoning Regulations (B.C.Z.R.), to be located on the subject property, and variance relief from Section 413.2(f) of the B.C.Z.R. to permit three (3) freestanding business signs (one major identification sign and two spreader bar signs) with a total area of 224.44 sq.ft. in lieu of the maximum permitted 100 sq.ft., and from Section 409.6 of the B.C.Z.R. to permit four (4) parking spaces in lieu of the required 7.2 spaces, all as more particularly described on Petitioner's Exhibits 6 and 7.

Appearing on behalf of the Petitions were Donald B. Farrington, Real Estate Representative; Mike Faber, Construction and Maintenance Engineer; and David J. Straub, all of whom are associated with Exxon Corporation; David Wang, Vice President in charge of Commercial Development for Frederick Ward and Associates; Glenn Cook, Traffic Engineering expert with

The Traffic Group, Inc.; and Jack Dillon with the Baltimore County Office of Planning. There were no Protestants.

Testimony indicated that the subject property, located on the south side of Red Run Boulevard, approximately 1500 feet west of the intersection of Red Run Boulevard and Painters Mill Road and south of the Owings Mills Town Center, consists of 2.308 acres, more or less, zoned B.M.-C.S.A. and is presently unimproved. The Petitioners are desirous of constructing an Exxon Service Station with convenience store on the subject property. The site plan for the subject property, submitted as Petitioner's Exhibit 7, illustrates a gasoline service station and convenience store of superior design and quality. The Petitioners have responded to and addressed all concerns raised by the various Baltimore County agencies. Jack Dillon, representing the Office of Planning, testified in support of the Petitioner's project, indicating that the Petitioners have addressed their concerns and met all requirements imposed on them by that Office. Mr. Dillon further stated that the landscaping proposed by the Petitioners is more than adequate for the subject site.

It is clear that the B.C.Z.R. permits the use proposed in a B.M.-C.S.A. zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest.

- 2 -

The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

- 3 -

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special exception and variances should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 16th day of July, 1992 that the Petition for Special Exception requesting approval of an automotive service station with a food store containing 1,431 sq.ft. of retail sales area, pursuant to Section 405.4(D)(8) of the Baltimore County Zoning Regulations (B.C.Z.R.), to be located on the subject property, in accordance with Petitioner's Exhibits 6 and 7, be and is hereby GRANTED, subject to the restriction set forth hereinafter; and,

IT IS FURTHER ORDERED that the Petition for Zoning Variance requesting relief from Section 413.2(f) of the B.C.Z.R. to permit three

- 4 -

(3) freestanding business signs (one major identification sign and two spreader bar signs) with a total area of 224.44 sq.ft. in lieu of the maximum permitted 100 sq.ft., and from Section 409.6 of the B.C.Z.R. to permit four (4) parking spaces in lieu of the required 7.2 spaces, in accordance with Petitioner's Exhibits 6 and 7, be and is hereby GRANTED; subject to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

July 16, 1992

James W. Brooks, Jr., Esquire
Piper & Marbury
36 S. Charles Street
Baltimore, Maryland 21201

RE: PETITIONS FOR SPECIAL EXCEPTION AND ZONING VARIANCE
S/S Red Run Boulevard, 1700' E of the c/l of Owings Mills Boulevard
(Exxon Service Station at Red Run Boulevard)
4th Election District - 3rd Councilmanic District
Painters Mill Joint Venture - Petitioner
Case No. 92-295-XA

Dear Mr. Brooks:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The petitions for Special Exception and Zoning Variance have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel

File



AMENDED

Petition for Variance

to the Zoning Commissioner of Baltimore County

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 413.2(f) to permit three freestanding business signs (one major I.D. sign and two spreader bars) with a total area of 224.44 square feet in lieu of the maximum area of 100 square feet and Section 409.6 to permit 4 parking spaces in lieu of the required 7.2 of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

The proposed site plan and signage were developed by Exxon in conjunction with the Office of Planning and Zoning. The improvements associated with a modern service station, combined with applicable setback regulations, required vehicular circulation patterns and the configuration of this property, create a practical difficulty and hardship because only free-standing signs of the size proposed can safely and adequately convey the required information and only four parking spaces can be provided.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

Contract Purchaser/Lessee:

EXXON CORPORATION
(Type or Print Name)
Signature *Donald B. Farrington*
Donald B. Farrington
Real Estate Representative
11350 McCormick Road, Exec. Plaza 2
Address
Hunt Valley, MD 21031
City and State

Attorney for Petitioner:
James W. Brooks, Jr.
(Type or Print Name)
Signature *James W. Brooks, Jr.*
Address
106 Old Court Rd., Suite 202
Pikesville, MD 21208
City and State

Piper & Marbury, 36 S. Charles St.
Address
Baltimore, MD 21201
City and State

Baltimore, MD 21201
City and State

Attorney's Telephone No.: (410) 576-1758

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):
PAINTERS MILL JOINT VENTURE
(Type or Print Name)
Signature *F. Barton Harvey*
F. Barton Harvey, Jr.
General Partner
Address
Hunt Valley, MD 21031
City and State

Signature
106 Old Court Rd., Suite 202
Pikesville, MD 21208
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
James W. Brooks, Jr.
Piper & Marbury, 36 S. Charles St.
Baltimore, MD 21201 (410) 576-1758
Address Phone No.

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
James W. Brooks, Jr.
Piper & Marbury, 36 S. Charles St.
Baltimore, MD 21201 (410) 576-1758
Address Phone No.

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
James W. Brooks, Jr.
Piper & Marbury, 36 S. Charles St.
Baltimore, MD 21201 (410) 576-1758
Address Phone No.

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
James W. Brooks, Jr.
Piper & Marbury, 36 S. Charles St.
Baltimore, MD 21201 (410) 576-1758
Address Phone No.

City and State

ORDER RECEIVED FOR FILING
Date *7/16/92*
By *[Signature]*

Petition for Special Exception

to the Zoning Commissioner of Baltimore County 92-295 XA

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for an automotive service station with a food store containing 1,431 square feet of retail sales area pursuant to Section 405.4(D)(8) of the Baltimore County Zoning Regulations.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

EXXON CORPORATION
(Type or Print Name)
Signature *Donald B. Farrington*
Donald B. Farrington
Real Estate Representative
11350 McCormick Road, Executive Plaza 2
Address
Hunt Valley, Maryland 21031
City and State

Attorney for Petitioner:

James W. Brooks, Jr.
(Type or Print Name)
Signature *James W. Brooks, Jr.*
Address
106 Old Court Road, Suite 202 (410) 486-3100
Pikesville, Maryland 21208
City and State

Piper & Marbury, 36 S. Charles Street
Address
Baltimore, Maryland 21201
City and State

Attorney's Telephone No.: (410) 576-1758

Legal Owner(s):

PAINTERS MILL JOINT VENTURE
(Type or Print Name)
Signature *F. Barton Harvey*
F. Barton Harvey, Jr.
General Partner
Address
Hunt Valley, Maryland 21031
City and State

Signature
106 Old Court Rd., Suite 202
Pikesville, MD 21208
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
James W. Brooks, Jr.
Piper & Marbury, 36 S. Charles Street
Baltimore, MD 21201 (410) 576-1758
Address Phone No.

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
James W. Brooks, Jr.
Piper & Marbury, 36 S. Charles Street
Baltimore, MD 21201 (410) 576-1758
Address Phone No.

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
James W. Brooks, Jr.
Piper & Marbury, 36 S. Charles Street
Baltimore, MD 21201 (410) 576-1758
Address Phone No.

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
James W. Brooks, Jr.
Piper & Marbury, 36 S. Charles Street
Baltimore, MD 21201 (410) 576-1758
Address Phone No.

City and State

ORDER RECEIVED FOR FILING
Date *7/16/92*
By *[Signature]*



ESTIMATED LENGTH OF HEARING - 1/2HR.
AVAILABLE FOR HEARING
MON./TUES./WED. - NEXT TWO MONTHS
ALL OTHER
REVIEWED BY: *TMK* DATE: *7/15/92*



Frederick Ward Associates, Inc.
Engineers - Architects - Surveyors

5 South Main Street
P.O. Box 727
Bel Air, Maryland 21014
(301) 879-2080/(800) 458-7900

1127 East Main Street
P.O. Box 878
Edison, Maryland 21031
(301) 598-3801

January 8, 1992

Description for Special Exception Plan, 1.859 Acre Parcel of Land Surveyed for Exxon Company, U.S.A. located on Red Run Boulevard, situated in the Fourth Election District, Baltimore County, Maryland.

BEGINNING for the same along southerly right-of-way for Red Run Boulevard. Thence leaving said right-of-way and running through and across the lands of Jack L. Baylin

- 1) South 03°24'25" East 101.43 feet,
- 2) North 87°12'43" West 20.52 feet,
- 3) South 80°58'32" West 41.81 feet,
- 4) by a curve having a radius of 222.50 feet, an arc distance of 43.86 feet, and by a chord South 75°19'44" West 43.79 feet
- 5) South 69°40'55" West 47.40 feet,
- 6) by a curve having a radius of 140.10 feet, an arc distance of 55.27 feet, and by a chord South 80°59'02" West 54.91 feet
- 7) North 87°42'52" West 64.01 feet,
- 8) by a curve having a radius of 350.87 feet, an arc distance of 147.78 feet, and by a chord North 75°38'56" West 146.69 feet
- 9) North 63°35'00" West 102.87 feet,
- 10) by a curve having a radius of 692.31 feet, an arc distance of 72.80 feet, and by a chord North 66°35'45" West 72.77 feet
- 11) North 69°36'30" West 102.12 feet,
- 12) North 08°17'05" East 66.99 feet to a point along the southerly right-of-way for Red Run Boulevard. Thence binding along said right-of-way,
- 13) South 81°43'01" East 440.53 feet
- 14) by a curve having a radius of 1041.41 feet, an arc distance of 212.47 feet, and by a chord South 87°33'43" East 212.11 feet to the point of beginning.

CONTAINING 1.859 acres of land, more or less.



Revised Version
for 92-295-XA
248
5/15/92

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 4th Date of Posting: January 8, 1992
Posted for: Exxon Corporation, U.S.A.
Petitioner: Exxon Corporation, U.S.A.
Location of property: Red Run Boulevard, between 11th and 12th Streets
Location of Sign: South side of Red Run Boulevard, between 11th and 12th Streets
Remarks: None
Posted by: S. Zeke Orlan Date of return: January 15, 1992
Number of Signs: 2

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 7th Date of Posting: January 29, 1992
Posted for: Exxon Corporation, U.S.A.
Petitioner: Exxon Corporation, U.S.A.
Location of property: Red Run Boulevard, between 11th and 12th Streets
Location of Sign: South side of Red Run Boulevard, between 11th and 12th Streets
Remarks: None
Posted by: S. Zeke Orlan Date of return: February 5, 1992
Number of Signs: 2

CERTIFICATE OF PUBLICATION

TOWSON, MD., 2/20, 1992

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 2/13, 1992

THE JEFFERSONIAN,

S. Zeke Orlan
Publisher

RECEIVED FROM 2/19/92
Case #92-295-XA (Item 298)
S/S Red Run Boulevard, 1700' E of c/l of Owings Mills Boulevard
4th Election District - 3rd Councilmatic
Legal Owner(s): Painters Mill Joint Venture
Contract Purchaser(s): Exxon Corporation
Hearing Date: Wednesday, July 1, 1992 at 2:00 p.m. in Rm. 106, Office Building

Special Exception for an automotive service station with a total of 1,000 sq. ft. of retail sales area. Petitioner to provide three free-standing business signs (one major I.D. sign and two smaller signs) and a total sq. ft. of 204 sq. ft. in lieu of the maximum area of 100 sq. ft. and to permit 4 parking spaces in lieu of the required 7.5.

CERTIFICATE OF PUBLICATION

TOWSON, MD., 2/20, 1992

THIS IS TO CERTIFY, that the annexed advertisement was published in OWINGS MILLS TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 2/13, 1992

OWINGS MILLS TIMES,

S. Zeke Orlan
Publisher

RECEIVED FROM 2/19/92
Case #92-295-XA
S/S Red Run Boulevard, 1700' E of c/l of Owings Mills Boulevard
4th Election District - 3rd Councilmatic
Legal Owner(s): Painters Mill Joint Venture
Contract Purchaser(s): Exxon Corporation
Hearing Date: Thursday, March 18, 1992 at 10:00 a.m.

Special Exception for an automotive service station with a total of 1,000 sq. ft. of retail sales area. Petitioner to provide three free-standing business signs (one major I.D. sign and two smaller signs) and a total sq. ft. of 204 sq. ft. in lieu of the maximum area of 100 sq. ft. and to permit 4 parking spaces in lieu of the required 7.5.

LAWRENCE E. SCHWARTZ
Zoning Commissioner of Baltimore County
04/21/93 February 20

CERTIFICATE OF PUBLICATION

TOWSON, MD., 2/20, 1992

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 2/13, 1992

THE JEFFERSONIAN,

S. Zeke Orlan
Publisher

\$ 89.08

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 West Chesapeake Avenue in Towson, Maryland 21204 at the following time and place:
Case Number: 92-295-XA
S/S Red Run Boulevard, 1700' E of c/l of Owings Mills Boulevard
4th Election District - 3rd Councilmatic
Legal Owner(s): Painters Mill Joint Venture
Contract Purchaser(s): Exxon Corporation
Hearing Date: Thursday, March 18, 1992 at 10:00 a.m.
Special Exception for an automotive service station with a total of 1,000 sq. ft. of retail sales area. Petitioner to provide three free-standing business signs (one major I.D. sign and two smaller signs) and a total sq. ft. of 204 sq. ft. in lieu of the maximum area of 100 sq. ft. and to permit 4 parking spaces in lieu of the required 7.5.



Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Date

2/26/92

REVISED PUBLIC HEARING FEES

110 - FEELATIONS (SEE OTHERS)

LAST DATE OF ORDER: 2/26/92

Account: R-001-6150
Number

19200474

PRICE

\$75.00

TOTAL: \$75.00

Cashier Validation

receipt

92-295-XA

PAID PER HAND-WRITTEN
RECEIPT DATED 2/21/92
Please Make Checks Payable To: Baltimore County



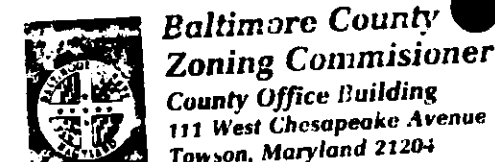
Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number

Date

Please Make Checks Payable To: Baltimore County \$100.00
04/21/93 JANUARY 14 92

Cashier Validation



Date

Account: R-001-6150
Number

receipt

Please Make Checks Payable To: Baltimore County \$150.00
04/21/93 JANUARY 21 92

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning



111 West Chesapeake Avenue
Towson, MD 21204

887-3353

DATE: 6-22-92

Exxon Corporation
11350 McCormick Road, Executive Plaza 2
Hunt Valley, Maryland 21031

ATTN: DONALD B. FARRINGTON

RE:

CASE #92-295-XA (Item 298)
S/S Red Run Boulevard, 1700' E of c/l of Owings Mills Boulevard
4th Election District - 3rd Councilmatic
Legal Owner(s): Painters Mill Joint Venture
Contract Purchaser(s): Exxon Corporation
HEARING: WEDNESDAY, JULY 1, 1992 at 2:00 p.m. in Rm. 106, Office Building.

Dear Petitioner(s):

Please be advised that \$ 23.40* is due for advertising and posting of the above captioned property and hearing date.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 109, Towson, Maryland 21204. Place the case number on the check and make same payable to Baltimore County, Maryland. In order to avoid delay of the issuance of proper credit and/or your order, immediate attention to this matter is suggested.

Bill John

ARNOLD JANLON
DIRECTOR

cc: James W. Brooks, Jr., Esq.

\$ 139.08 - due from 3-19-92

* Total now due = \$ 234.48

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

DATE: 2-28-92

Exxon Corporation
11350 McCormick Road, Executive Plaza 2
Hunt Valley, Maryland 21031

ATTN: DONALD B. FARRINGTON

RE:

CASE NUMBER: 92-295-XA
S/S Red Run Boulevard, 1700' E of c/l of Owings Mills Boulevard
4th Election District - 3rd Councilmatic
Legal Owner(s): Painters Mill Joint Venture
Contract Purchaser(s): Exxon Corporation

Dear Petitioner(s):

Please be advised that \$ 139.08 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland 21204. It should have your case number noted thereon and be made payable to Baltimore County, Maryland. In order to prevent delay of the issuance of proper credit and/or your order, immediate attention to this matter is suggested.

Bill John

ARNOLD JANLON
DIRECTOR

cc: James W. Brooks, Jr., Esq.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 123241
ITEM 494
DATE: 2/20/92 ACCOUNT: 01-615
AMOUNT: \$ 75.00
RECEIVED BY: Piper + Mackay
FOR: Revised Plans Submission
DHA04 00022HICRC \$75.00
VALIDATION OF SIGNATURE OF CASHIER
OFFICIAL SEAL

FEBRUARY 4, 1992

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

CASE NUMBER: 92-295-XA
S/S Red Run Boulevard, 1700' E of c/l Owings Mills Boulevard
4th Election District - 3rd Councilmanic
Legal Owner(s): Painters Mill Joint Venture
Contract Purchaser(s): Exxon Corporation
HEARING: THURSDAY, MARCH 19, 1992 at 10:00 a.m.

Special Exception for an automotive service station with a food store containing 1,431 sq. ft. of retail sales area.
Variance to permit a total of seven free-standing business signs (one major I.D. sign and six spreader bars); and a total sq. footage on such seven free-standing business signs of 269.3 sq. ft. in lieu of the maximum three signs totaling 100 sq. ft.

Laurence E. Schmidt
Laurence E. Schmidt

Zoning Commissioner of
Baltimore County

cc: Painters Mill Joint Venture
Exxon Corporation
James W. Brooks, Jr., Esq.

FEBRUARY 28, 1992

NOTICE OF POSTPONEMENT

CASE NUMBER: 92-295-XA
PETITIONER(S): PAINTERS MILL JV/EXXON CORPORATION
LOCATION: RED RUN BOULEVARD

THE ABOVE MATTER, PREVIOUSLY ASSIGNED TO HEARD ON THURSDAY, MARCH 19, 1992, HAS BEEN POSTPONED AT THE REQUEST OF JAMES W. BROOKS, JR., ATTORNEY FOR PETITIONERS.

NOTIFICATION OF THE NEW HEARING DATE WILL BE FORWARDED SHORTLY.

Arnold Jablon

Arnold Jablon
Director

cc: Painters Mill Joint Venture
Exxon Corporation
James W. Brooks, Jr., Esq.



Printed on Recycled Paper

JUNE 5, 1992

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

RESCHEDULED FROM 3/19/92
CASE #92-295-XA (Item 298)
S/S Red Run Boulevard, 1700' E of c/l Owings Mills Boulevard
4th Election District - 3rd Councilmanic
Legal Owner(s): Painters Mill Joint Venture
Contract Purchaser(s): Exxon Corporation
HEARING: WEDNESDAY, JULY 1, 1992 at 2:00 p.m. in Rm. 106, Office Building.

Special Exception for an automotive service station with a food store containing 1,431 sq. ft. of retail sales area.
Variance to permit three free-standing business signs (one major I.D. sign and two spreader bars) with a total area of 224.44 sq. ft. in lieu of the maximum area of 100 sq. ft. and to permit a parking space in lieu of the required 7.2

Laurence E. Schmidt
Laurence E. Schmidt

Zoning Commissioner of
Baltimore County

cc: Painters Mill Joint Venture
Exxon Corporation
James W. Brooks, Jr.

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

James W. Brooks, Esquire
Piper & Marbury
36 S. Charles Street
Baltimore, MD 21201

RE: Item No. 298, Case No. 92-295-XA
Petitioner: Painters Mill Joint Venture
Petition for Special Exception and
Zoning Variance

Dear Mr. Brooks:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a review by Zoning personnel.



Printed on Recycled Paper

Zoning Plans Advisory Committee Comments
Date: February 25, 1992
Page 2

2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.

3) Attorneys and/or engineers who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the loss of filing fee.

Very truly yours,
W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Coordinator

WCR:jw

Enclosures

cc: Mr. F. Barton Harvey
Mr. Donald B. Farrington

Your petition has been received and accepted for filing this
21st day of January, 1992.

Arnold Jablon
ARNOLD JABLON
DIRECTOR

Received By:

W. Carl Richards, Jr.
Chairman,
Zoning Plans Advisory Committee

Petitioner: Painters Mill Joint Venture, et al
Petitioner's Attorney: James W. Brooks, Jr.



Printed on Recycled Paper

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: February 20, 1992

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management
FROM: Rahoe J. Famili
SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: February 4, 1992

This office has no comments for item numbers 298, 299, 300, 301, 302 and 303.

Rahoe J. Famili
Rahoe J. Famili
Traffic Engineer II

RJF/lvd

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

February 6, 1992

TO: Arnold Jablon, Director
Zoning Administration and Development Management
FROM: DIVISION OF GROUND WATER MANAGEMENT
SUBJECT: Zoning Item #298, Zoning Advisory Committee Meeting of February 4, 1992, Painters Mill Joint Venture, Exxon Corporation, S/S Red Run Boulevard, 1700' E of centerline Owings Mills Boulevard, D-4, Public Water and Sewer

COMMENTS ARE AS FOLLOWS:

Prior to approval of a Building Permit for construction, renovation and/or installation or equipment for any existing or proposed food service complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.

A permit to construct from the Bureau of Air Quality Management is required for such items as spray paint processes, underground gasoline storage tank(s) 5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.

If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment.

SSF:rmp

298.ZNG/GWRMP

RECEIVED
FEB 10 1992
ZONING OFFICE

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

REVISED DESCRIPTIONS AND PLANS WERE RECEIVED FOR ITEM #298 (CASE #92-295-XA) ON FEBRUARY 21, 1992

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the contents below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWED: *[Signature]* Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JE/BEK

RECEIVED
MAR 5 1992
ZONING OFFICE

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: PAINTERS MILL JOINT VENTURE

Location: S/S RED RUN BOULEVARD

Item No.: 298 Zoning Agency: FEBRUARY 4, 1992

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the contents below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWED: *[Signature]* Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JE/BEK

BALTIMORE COUNTY, MARYLAND
INTER OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: February 13, 1992
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for February 4, 1992

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 298, 300, 301, 302 and 303.

For Item 304, this site must be submitted for review and comments under the minor subdivision process.

For Item 298, a County Review Group Meeting will be required.

[Signature]
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

BALTIMORE COUNTY
ECONOMIC DEVELOPMENT COMMISSION
Memorandum
TO: Julie Winiarski
Office of Zoning Administration and
Development Management
FROM: A. J. Haley, Deputy Director
Economic Development Commission
DATE: January 29, 1992
RE: Zoning Advisory Comments for Meeting of February 4, 1992

This office has no comment for items 298, 299, 300, 301, 302, 303 and 304.

RECEIVED
JAN 30 1992
ZONING OFFICE

BALTIMORE COUNTY, MARYLAND
INTER OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: March 16, 1992
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for March 3, 1992

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 117 (Case No. 92-106-X), 329, 330, 331, 333 and 334.

For Item 316, the previous minor subdivision comments still apply.

For Item 298 (Case No. 92-296-XA), and Item 332, the sites must be submitted through the new subdivision process for review and comments.

For Item 328, the site must be submitted through the minor subdivision process for review and comments.

[Signature]
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

RECEIVED
MAR 17 1992
ZONING OFFICE

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: March 26, 1992

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management

FROM: Rahes J. Famill

SUBJECT: Z.A.C. Comments - REVISED

Z.A.C. MEETING DATE: February 4, 1992

ITEM NUMBER: 298

The proposed western access should be 20 ft. wide.

[Signature]
Rahes J. Famill
Traffic Engineer II

RJF/lvd

RECEIVED
MAR 29 1992
ZONING OFFICE

March 19 - P.P.

BALTIMORE COUNTY, MARYLAND
INTER OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: June 5, 1992
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for June 8, 1992
Item 298 (Case No. 92-295 XA)

The Developers Engineering Division has reviewed the subject zoning item and the site must be submitted through the new subdivision process for review and comment.

In addition, the landscape plan submitted with this item will receive a complete review by this office during the development plan, grading plan and landscape plan phase.

[Signature]
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:DAR:s

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: June 11, 1992

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management

FROM: Rahes J. Famill

SUBJECT: Z.A.C. Comments - Revised

Z.A.C. MEETING DATE: June 1, 1992

ITEM NUMBER: 298

The plan needs to be revised according to the attached sketch.

[Signature]
Rahes J. Famill
Traffic Engineer II

RJF/dm

Attachment

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

MARCH 4, 1992

James W. Brooks, Jr.
PIPER & MARBURY
36 South Charles Street
Baltimore, Maryland 21201-3010

Re: Case Number: 92-295-XA
Painters Mill JV/Exxon Corporation

Dear Mr. Brooks:

Confirming our telephone conversation, you will kindly keep me advised as to the status of the above matter and, as such, the case will not be reset until I receive word from you. If it is necessary that this project go through the new Development Process, the hearings will be heard jointly.

Thank you for your cooperation.

Very truly yours,

G. G. Stephens
G. G. Stephens
(301) 887-8124

PIPER & MARBURY
CHARLES CENTER SOUTH
36 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201-3010
301.539.2530
FAX 301.539.0489

117 BAY STREET
EASTON, MARYLAND 21821
301.820.4400
FAX 301.820.4403

31 WEST 52ND STREET
NEW YORK, NEW YORK 10019
212.261.2000
FAX 212.261.2001

14 AUSTIN FRIARS
LONDON EC4A 3DF
071-438 3633
FAX 071-438 3204

February 27, 1992

WRITER'S DIRECT NUMBER
576-1758

HAND DELIVER

Mr. Arnold Jablon
Director
Zoning Administration
and Development Management
Baltimore County Office
of Planning and Zoning
Mail Stop 1108
111 W. Chesapeake Avenue
Towson, Maryland 21204

Dear Mr. Jablon:

I represent Exxon Corporation for purposes of zoning and service station development for a parcel of property on Red Run Boulevard in Owings Mills, Maryland located approximately 1700 feet east of the intersection of Red Run Boulevard and Owings Mills Boulevard. On January 20, 1992 I filed with the Office of Planning and Zoning Petitions for Special Exception and Variance required in order to construct the convenience food store and sign associated with this service station.

Pursuant to a Notice of Hearing dated February 4, 1992 this case was identified as number 92-295-XA and scheduled for hearing on Thursday, March 19, 1992 at 10:00 a.m. Recently, representatives of Exxon Corporation met with the Department of Comprehensive and Community Planning to discuss design issues related to the service station. I believe these design issues will require additional time to resolve and I am requesting postponement of the scheduled March 19, 1992 hearing date.

Please contact me with any questions or comments you may have. Your assistance is appreciated.

Sincerely,

James W. Brooks, Jr.
James W. Brooks, Jr.

JWB/htw
cc. Mr. Donald B. Farrington
Mr. David S. Wang
Andrea M. Mattei, Esquire

1-22-92

#298

92-295-XA
Re: Special Exception and Variance
Petition for Exxon - Red
Run Boulevard

I filed the above-referenced petition and plan on 1/17/92. Mitch Kellman brought it up for processing on 1/24/92. Exxon-Houston, Texas is considering some changes to the plan and I am requesting that OPZ hold distribution of the plan until the potential changes are resolved. This should not take more than one week and will save people from looking at the wrong plan.

Thank you

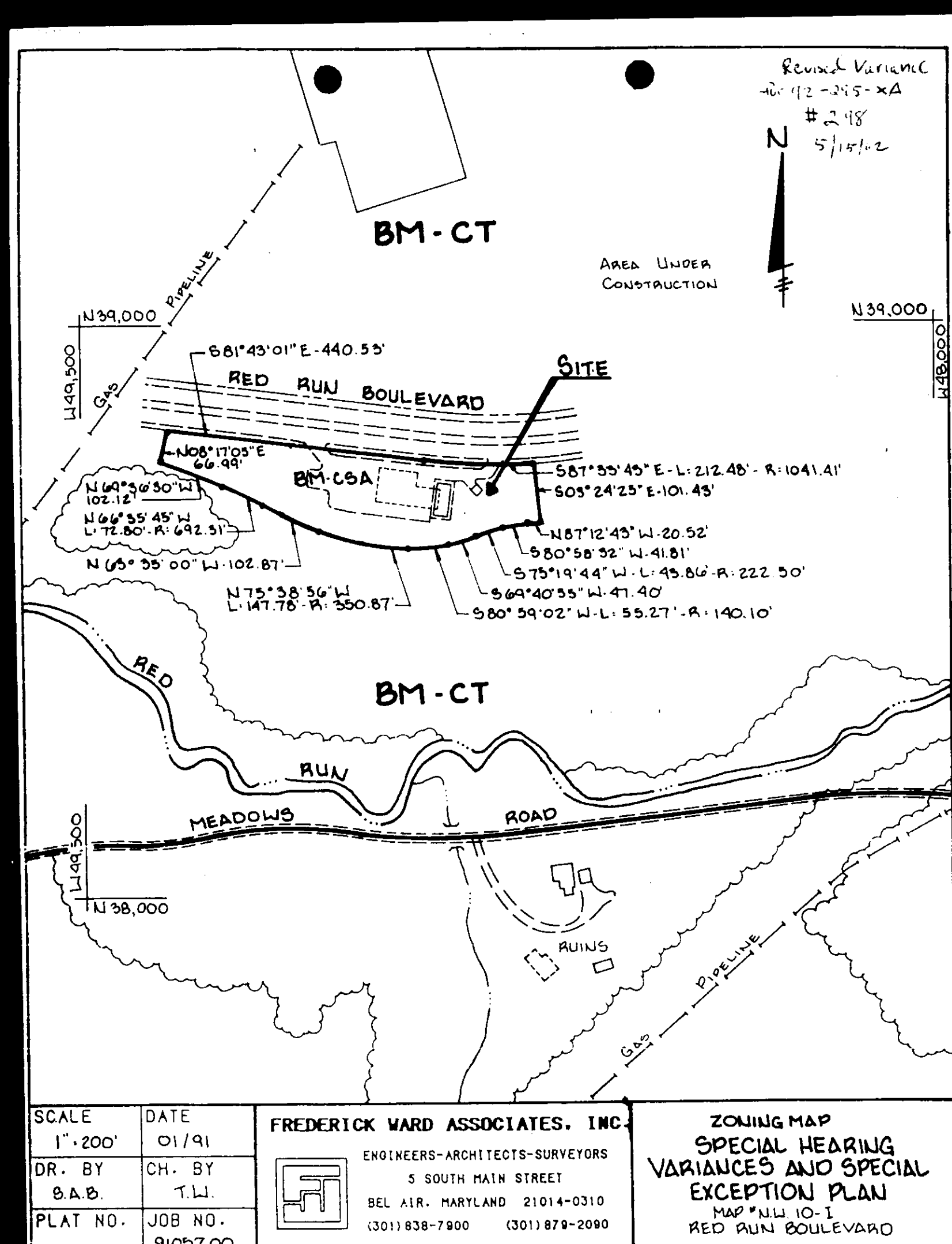
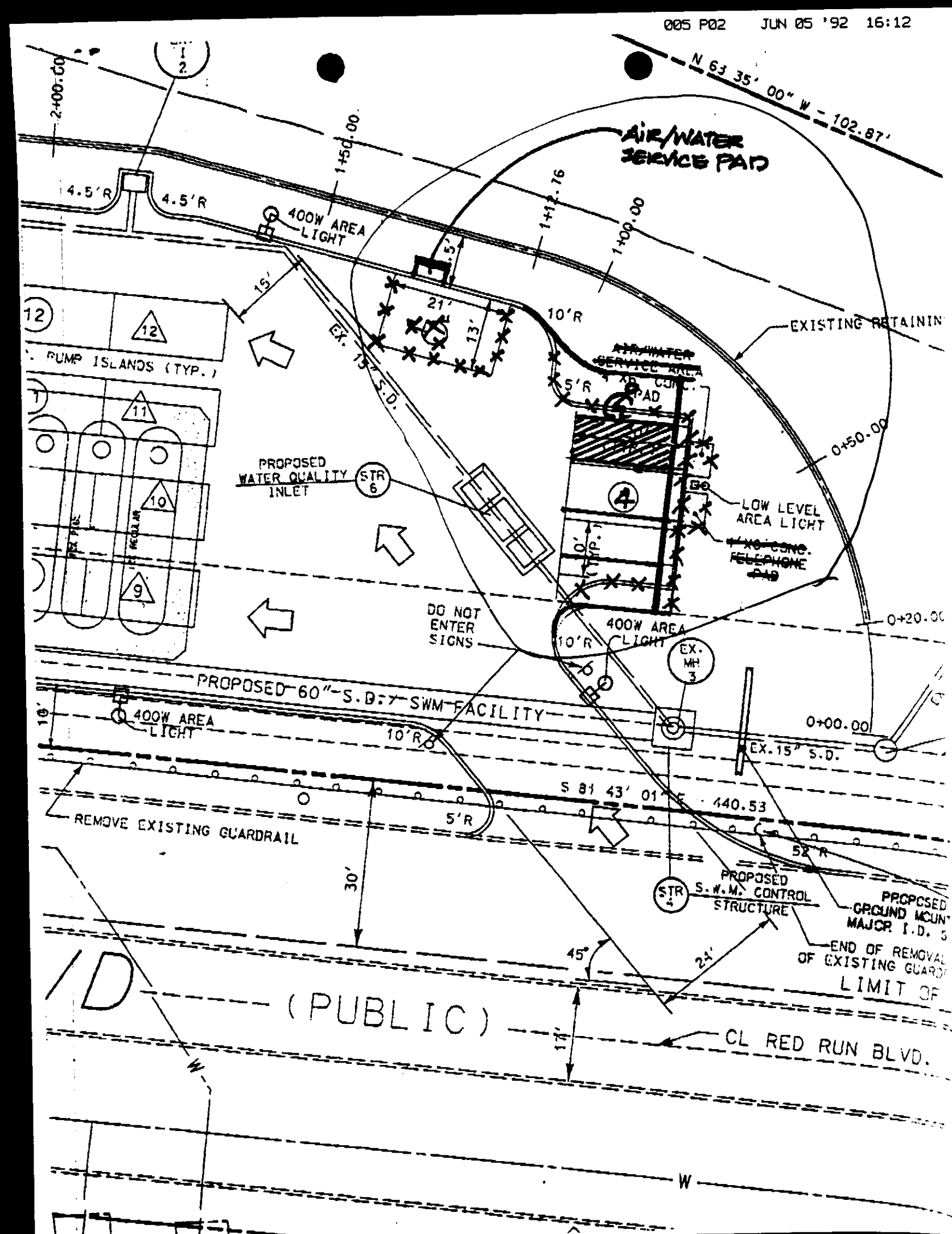
James W. Brooks, Jr.
James W. Brooks, Jr.
Counsel for Exxon

1-27-92 TC to
Mr Brooks - told him I
cannot hold up plans. He
will send new plans and
revision fee to me
Sophia

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
James W. Brooks, Jr.	36 South Charles St. Balt.
DAVID WANG	Frederick Ward Associates
Mike Diller	5 S. Main St., Baltimore, Md 21014
Mike Ficker	Baker Co. Planning Office
DAVID J. STRANG	Exxon
Don Farrington	Exxon



3rd Councilmanic District		BALTIMORE COUNTY		1988 COMPREHENSIVE ZONING MAP ISSUES		Date: 10/27/88	
NO.	SUBJECT, OWNER, PETITIONER, ORGANIZATION OR PLACE NAME	LOCATION	TOTAL ACRES	EXISTING ZONING AND ACRES	REQUESTED ZONING AND ACRES	PLAN NO. RECOMMENDATION	COMMENTS
3-304	Dave Collins & Janet Hiseach	S side Jordan Semall Rd on N side Domes Rd	25.00	RC 2 25.00	RC 4 25.00	RC 2 25.00	
3-305	Norman & Dorothea Miller	SW side Owings Mills Blvd at intersection with Delfield Rd	3.06	DR 16 3.06	O-1 3.06	DR 16 3.06	
3-306	Thomas Lemmon by Joseph Larson	W side of Spook Hill Rd 1900' W of Arment Rd	91.70	RC 4 34.04 RC 2 57.66	RC 4 34.04 RC 2 57.66	RC 4 34.04 RC 2 57.66	See Issue 3-327
3-307	Nicholas Wengert (Williams Property)	NE corner Shuman Rd/Browncroft Ln	149.27	RC 4 10.60 RC 2 138.67	RC 5 149.27	RC 4 10.60 RC 2 138.67	See Issues 3-252, 3-308, 3-369
3-308	Tollhouse Inc. (Hartfield) by Nicholas Wengert	NE corner of Shuman Rd & I-83	475.00	RC 2 300.00 RC 4 175.00	RC 5 475.00	RC 2 300.00 RC 4 175.00	3-176, 1984 See Issues 3-252, 3-307, 3-369
3-309	Jack Baylis, Managing Partner, Painters Mill Venture	SW of Lyons Hill Rd/Painters Mill Rd intersection	263.11	DR 10.5 3.74 DR 16 80.07 RAE 2 47.22 RC 2 0.75 RAE 1 15.52 RAE 2 116.52 O-7 80.83 RC 2 6.72	DR 16 90.07 RAE 2 47.22 O-7 122.19 RC 2 151.67 O-2 15.84 RC 2 3.63	DR 16 90.07 RAE 2 47.22 O-7 122.19 RC 2 151.67 O-2 15.84 RC 2 3.63	See Issues 3-153, 3-272, 3-351 OVERLAY adopted

PET. EXHIBIT 1

PET. EXHIBIT 2

IN THE MATTER OF THE APPLICATION OF
PAINTERS MILL VENTURE FOR A ZONING
RECLASSIFICATION ON PROPERTY LOCATED
ON THE SOUTH SIDE OF RED RUN BOULEVARD,
2,061 FEET EAST OF THE CENTERLINE OF
OWINGS MILLS BOULEVARD
FROM BM-CT TO BM-CSA
4th ELECTION DISTRICT
3rd COUNCILMANIC DISTRICT

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
CASE NO. B-90-170, Item #1,
Cycle II, 1989/90

OPINION

Petitioner, Painters Mill Venture, has filed with this Board a Petition to reclassify property from a BM-CT zone to a BM-CSA zone. A hearing was held before this Board on March 7, 1990. The Petitioner was represented by Richard A. Reid, Esquire and Phyllis C. Friedman, People's Counsel for Baltimore County, also appeared.

The subject property is located on the south side of Red Run Boulevard, 2,061 feet east of Owings Mills Boulevard in the Fourth Election District and Third Councilmanic District of Baltimore County, Maryland. It consists of approximately .43 acres and is presently zoned BM-CT. The Petitioner requests that the present zoning obtained under the 1988 Comprehensive Zoning Map Process, be changed to BM-CSA. In effect, the request is a district change from C.T. to C.S.A.

At the hearing, twelve exhibits were offered by the Petitioner and stipulated to by People's Counsel. Included in the exhibits is an Affidavit in support of the Petition for Zoning Reclassification by John J. Dillon, Jr. of the Department of Planning and Zoning for Baltimore County. This Affidavit was offered in lieu of Mr. Dillon's testimony.

The exhibits disclose that the Petitioner filed a request for rezoning for several parcels of land including the subject property herein under the Rezoning Map Process, which requests were docketed under Item 3-309 in the log of issues for the Third Councilmanic District. It was requested that the subject property be rezoned from RAE-2 to BM for an automobile service station

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Board of Appeals Date: March 6, 1990
 FROM: C. Richard Moore, Bureau Chief, Bureau of Traffic Engineering
 SUBJECT: CASE #R-90-170

At the request of Richard Reid in the subject zoning case, we offer the following information:

Our review of Red Run Boulevard indicates that it is not a Town Center distributor by-pass as set forth in the zoning regulations.

CRM:bza

PET. EXHIBIT 3

PETITION FOR SPECIAL EXCEPTION
AND PETITION FOR VARIANCE
FILED BY EXXON COMPANY, U.S.A.

1.8591 Acre Site Located on the
 South Side of Red Run Boulevard
 Approximately 1500 Feet West
 of the Intersection of Red Run
 Boulevard and Painters Mill Road

MEMORANDUM IN SUPPORT OF PETITION FOR SPECIAL EXCEPTION
AND PETITION FOR VARIANCE

I. Introduction

Petitioner, Exxon Company, U.S.A., by its attorney James W. Brooks, Jr. respectfully submits this Memorandum in Support of Petition for Special Exception and Variance. The Petitioner is requesting that the Zoning Commissioner grant a special exception to permit the construction of a 1,431 sq. ft. food store as a use in combination with an automotive service station pursuant to §405.408 of the Baltimore County Zoning Regulations ("BCZR"). The Petitioner is also requesting that the Zoning Commissioner grant a variance from: (i) §413.2f of the BCZR to permit three free-standing business signs (one major identification sign and two spreader bars) with a total area of 224.44 sq. ft. in lieu of the maximum area of 100 sq. ft.; and (ii) §409.6 of the BCZR to permit a total of four parking spaces in lieu of the required 7.2. The automotive service station is permitted as of right pursuant to §405.2A2 of the BCZR. The testimony and evidence presented by the Petitioner at the hearing before the Zoning Commissioner will satisfy the legal standards and burden of proof required for the granting of these petitions.

II. Special Exception/Use in Combination

In *Schultz v. Pritts*, 291 Md. 1 (1981), the Court of Appeals of Maryland discussed at length the nature of a zoning special exception and the standards to be satisfied in connection with the granting thereof:

The special exception use is a part of the comprehensive zoning plan sharing the presumption that, as such, it is in the interest of the general welfare, and therefore, valid. The special exception use is a valid zoning mechanism that delegates to an administrative board a limited authority to allow enumerated uses which the

317.200998A:07/01/92
3050-100810-1-
PET EXHIBIT 4BALTIMORE COUNTY, MARYLAND
OFFICE OF PLANNING AND ZONING
New Courts Bldg - 401 Bosley Avenue, Towson, MD 21204

SUMMARY OF RECOMMENDATIONS:

This request for a variance to allow four parking spaces in lieu of the required 7.2 spaces and a sign variance to permit a free standing ID sign with two spreader bars has been reviewed by the Community Planning Division and we offer the following comments.

This particular project has been the subject of a great deal of pre-planning and discussion since 1988. This office has worked with the property owners and the contract purchaser to achieve a high quality designed automotive service station. The results of this effort are the subject of these requested variances.

Because of the size and configuration of this site and the type of service station being developed, the normal required parking, we believe, is not necessary and we therefore support the requested parking space variance.

The proposed sign variance is a result of negotiations with Exxon to achieve a high quality sign that is architecturally compatible with this site. As indicated this sign is a ground based sign set in a decorative wall and appropriately sited along Red Run Blvd. We support this variance request.

Prepared by: *Carl Keller*Division Chief: *Carol Keller*

JD:rdn

298.ZAC/ZAC1

PET EXHIBIT 5

Frederick Ward Associates, Inc.
Engineers - Architects - Surveyors

David S. Wang, P.E.

Mr. Wang is a registered Engineer in the state of Maryland and is the Vice President in-charge of Industrial, Commercial and Environmental projects for Frederick Ward Associates. He holds a Bachelor of Science in Civil Engineering and a Masters of Science in Environmental Engineering.

He has over seventeen years of professional experience incorporating a variety of site designs for Industrial and Commercial Development Projects including shopping centers, office buildings, manufacturing facilities, gasoline services stations, retail and institutional facilities. His experience includes planning, design, preparation of plans and specifications, and permit coordination for site grading, storm drainage, stormwater management, site utilities, parking lots, and State Highway entrances and sediment control.

Mr. Wang is also an experienced Environmental Engineer and has completed water and wastewater treatment plant study and design projects, and sewerage and water system design. His experience encompasses treatment plants, sludge drying beds, collection systems, distribution systems, and pump stations. He has also completed operation and maintenance manuals, sewer system evaluation studies, and 201 facilities plans.

Typical clients for whom Mr. Wang has directed projects include Exxon Company, U.S.A.; the Mobile Oil Corporation; Chevron U.S.A.; Trammell Crow; McDonald's; WAWA Stores Incorporated; W.R. Grace; MCI; and Columbia Gas Company.

PET EXHIBIT 6

GLENN E. COOK
PRINCIPAL

Glenn Cook is a principal with The Traffic Group, responsible for conducting and overseeing the preparation of traffic impact studies and the preparation of geometric design plans, parking lot layouts, highway lighting, traffic control and traffic signal plans. His projects include the \$1 billion PortAmerica project, the 6 million sq. ft. Presidential Corporate Centre project and the Bowie New Town Center project. Mr. Cook has served as a Transportation Planner for the development of Master Plans for both private firms and government agencies.

Mr. Cook has over 19 years experience in the traffic engineering and transportation planning field both in

the public sector with the Maryland State Highway Administration and in the private sector. Mr. Cook's experience in the public sector provides him with a wide range of knowledge to deal with the complex problems associated with receiving public agency approvals.

Mr. Cook is qualified and has been accepted as an expert in the field of Traffic Engineering and Transportation Planning before numerous County and Municipal Boards in Maryland, Virginia, and New Jersey.

EDUCATIONAL BACKGROUND

Civil Engineering Preparation - Community College of Baltimore
 Traffic Engineering Courses: Northwestern University Traffic Institute; University of Maryland

AFFILIATIONS

Institute of Transportation Engineers (I.T.E.)
 Maryland Association of Engineers

JOB HISTORY

1983 to Present
 Traffic Engineering Consultant

1979-1983
 Chief, Office Engineering Section

Maryland State Highway Administration

1972-1979
 Traffic Signal Design Section

Maryland State Highway Administration

PLACES WHERE MR. COOK QUALIFIED
AS AN EXPERT WITNESS

MARYLAND

Board of Appeals - City of Easton
 Special Board of Appeals - Chesapeake Beach
 Zoning Hearing Examiner - Anne Arundel County
 Town Commissioners - Town of Bel Air
 County Review Group (CRG) - Baltimore County
 Board of Appeals - Baltimore County
 Planning Board - Town of Bel Air
 Planning Board - Town of Sykesville
 Planning Board - Chesapeake Beach
 Zoning Hearing Examiner - Prince Georges County
 Zoning Hearing Examiner - Montgomery County
 Planning Commission - Garrett County
 City Council - Baltimore City
 Board of Appeals - Carroll County
 Planning Board - Howard County
 County Commissioners - Calvert County
 Mayor and City Council - City of Greenbelt
 Planning Board - Baltimore City
 Circuit Court - Baltimore County
 Planning Board - Carroll County
 County Council - Howard County
 Planning Board - Washington County
 County Commissioners - Washington County
 Planning Commission - Calvert County
 Board of Appeals - Charles County
 Board of Appeals - Montgomery County

County Commissioners - Frederick County
 Park & Planning Commission - Montgomery County
 Mayor & City Council - Prince Georges County
 County Council - Prince Georges County
 County Commissioners - Charles County
 Planning Advisory Board - City of Bowie
 County Council - Howard County
 Mayor & City Council - Hagerstown
 Planning Board - Town of Bel Air
 Planning Commission - City of Frederick
 Planning Board - Frederick County
 Planning Commission - City of Salisbury
 Mayor & City Council - City of Westminster

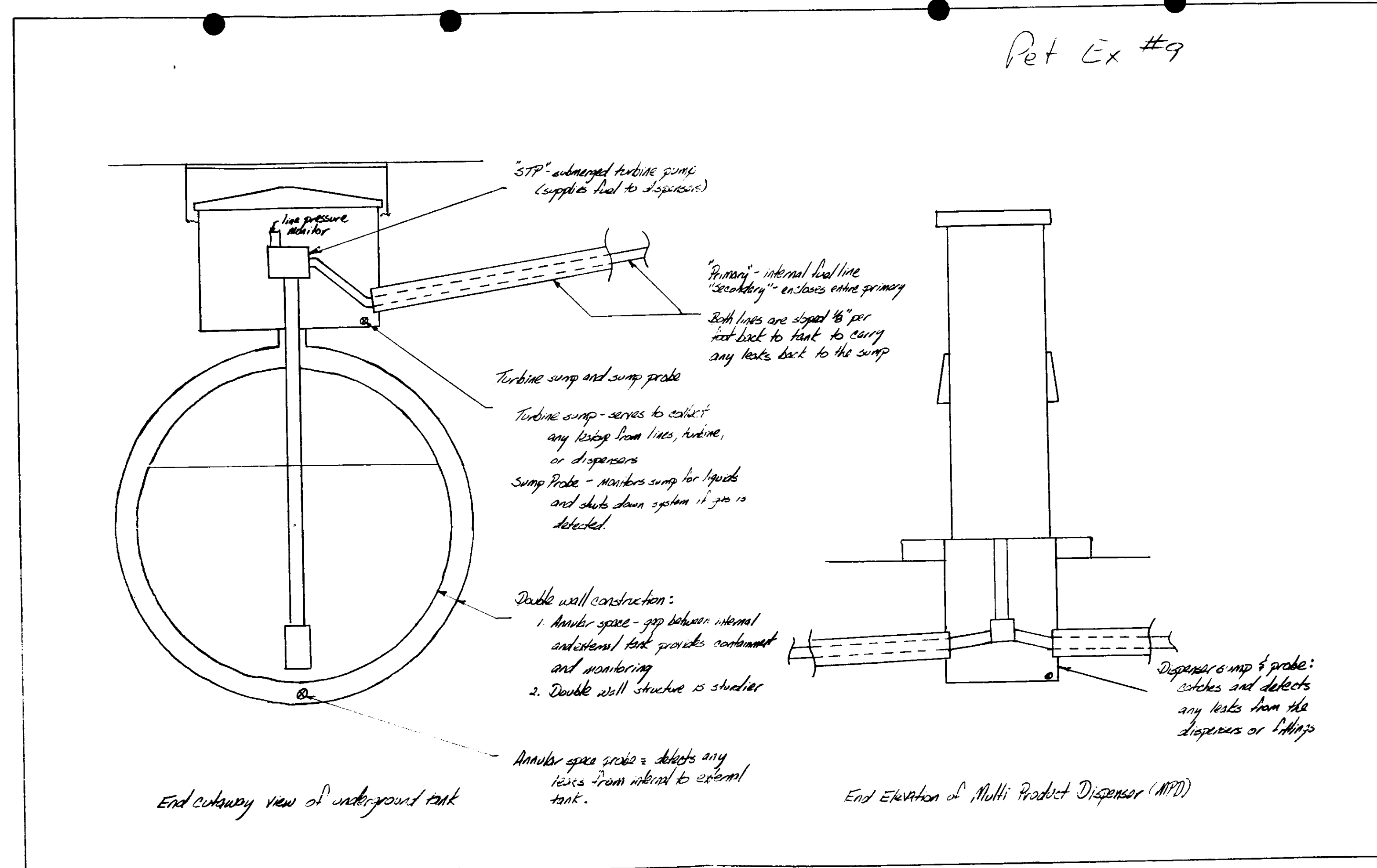
NEW JERSEY

Superior Court - Atlantic County

VIRGINIA

County Council - Fairfax County
 Mayor & City Council - City of Fairfax
 Planning Commission - Calvert County

The Traffic Group, Inc. Suite 600 40 W. Chesapeake Avenue Towson, Maryland 21204 (410) 583-8405 Fax (410) 321-8458

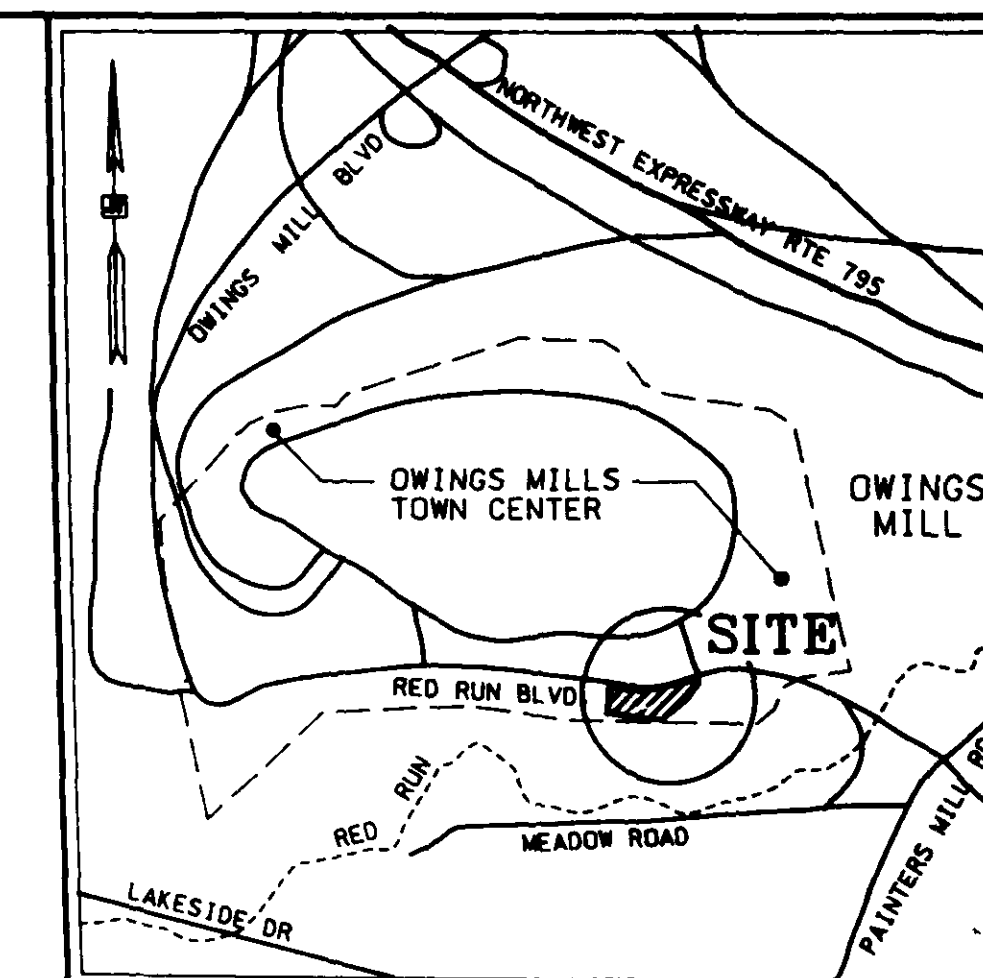


Exxon Shop

A Commitment
 To Excellence
 And Convenience



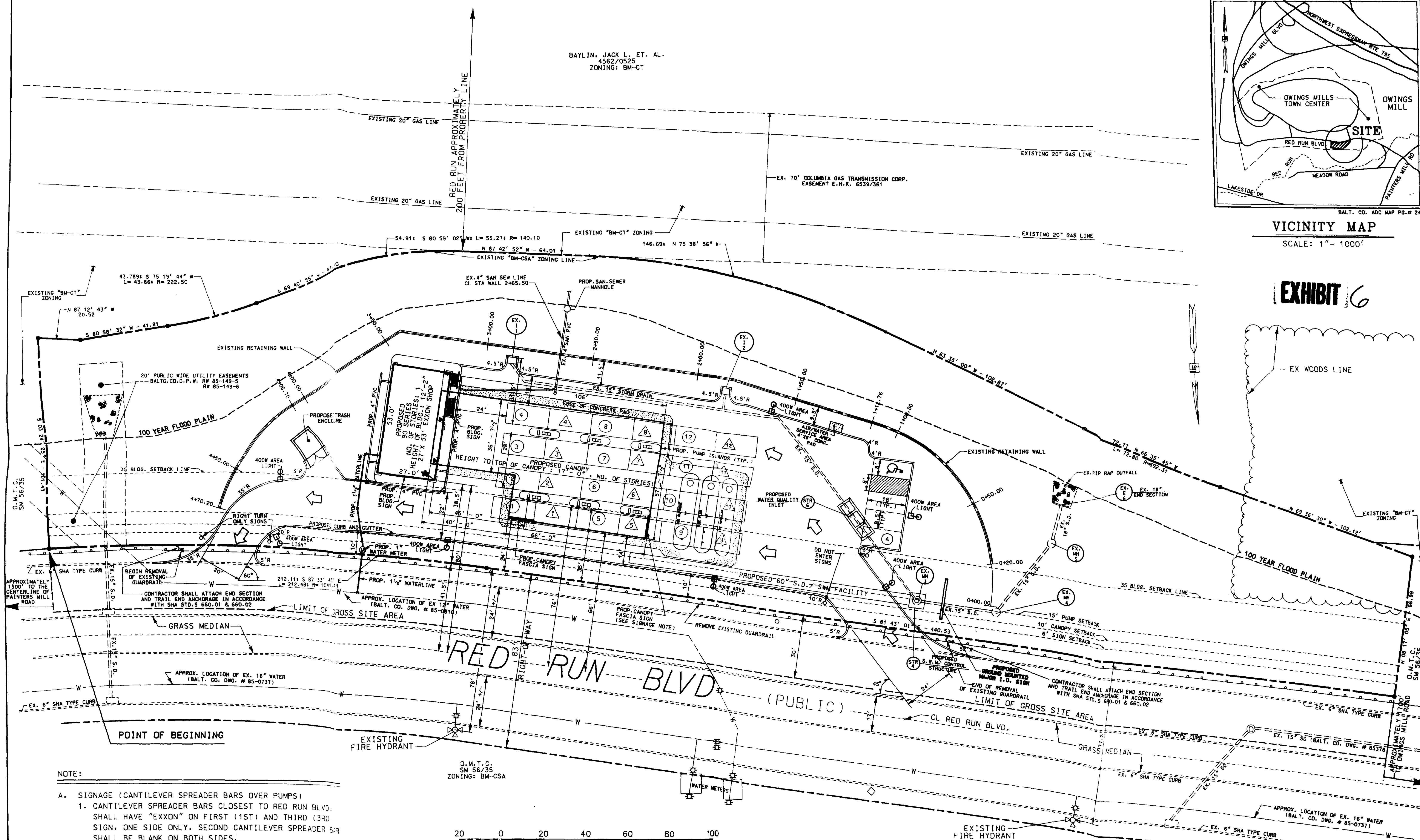
BAYLIN, JACK L. ET. AL.
4562/0525
ZONING: BM-CT



VICINITY MAP

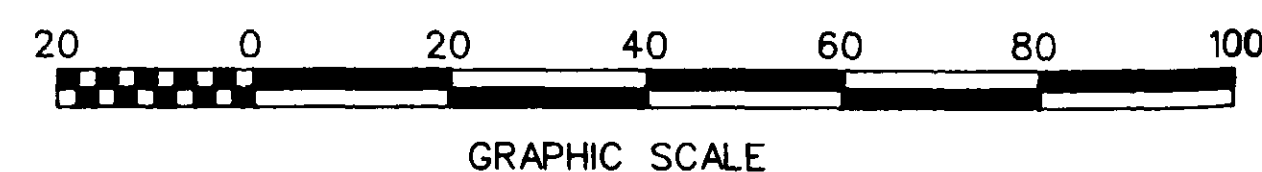
SCALE: 1" = 1000'

EXHIBIT 6



NOTE:

- A. SIGNAGE (CANTEILER SPREADER BARS OVER PUMPS)
 1. CANTEILER SPREADER BARS CLOSEST TO RED RUN BLVD. SHALL HAVE "EXXON" ON FIRST (1ST) AND THIRD (3RD) SIGN, ONE SIDE ONLY. SECOND CANTEILER SPREADER BAR SHALL BE BLANK ON BOTH SIDES.
 2. CANTEILER SPREADER BARS OVER PUMPS CLOSEST TO THE RETAINING WALL SHALL BE BLANK ON BOTH SIDES.
- B. LIGHTING
 1. LIGHTS MUST NOT EXCEED THE MAXIMUM HEIGHT OF SIXTEEN (16) FEET.



APPLICANT / OWNER
EXXON COMPANY, USA
EXECUTIVE PLAZA II
11350 MCCORMICK ROAD
HUNT VALLEY, MD. 21031
ATTN: MR. DONALD FARRINGTON
PHONE: 301-785-6646



FREDERICK WARD ASSOCIATES INC.
ENGINEERS ARCHITECTS SURVEYORS
5 SOUTH MAIN STREET
BEL AIR, MARYLAND
(410) 879-2090

DATE	REVISIONS	BY	CHK.
6-11-92	REMOVE AIR/WATER, AND LIGHT, PARKING LOCATIONS, REMOVE TELEPHONE PAD.	RAS	T.F.W.

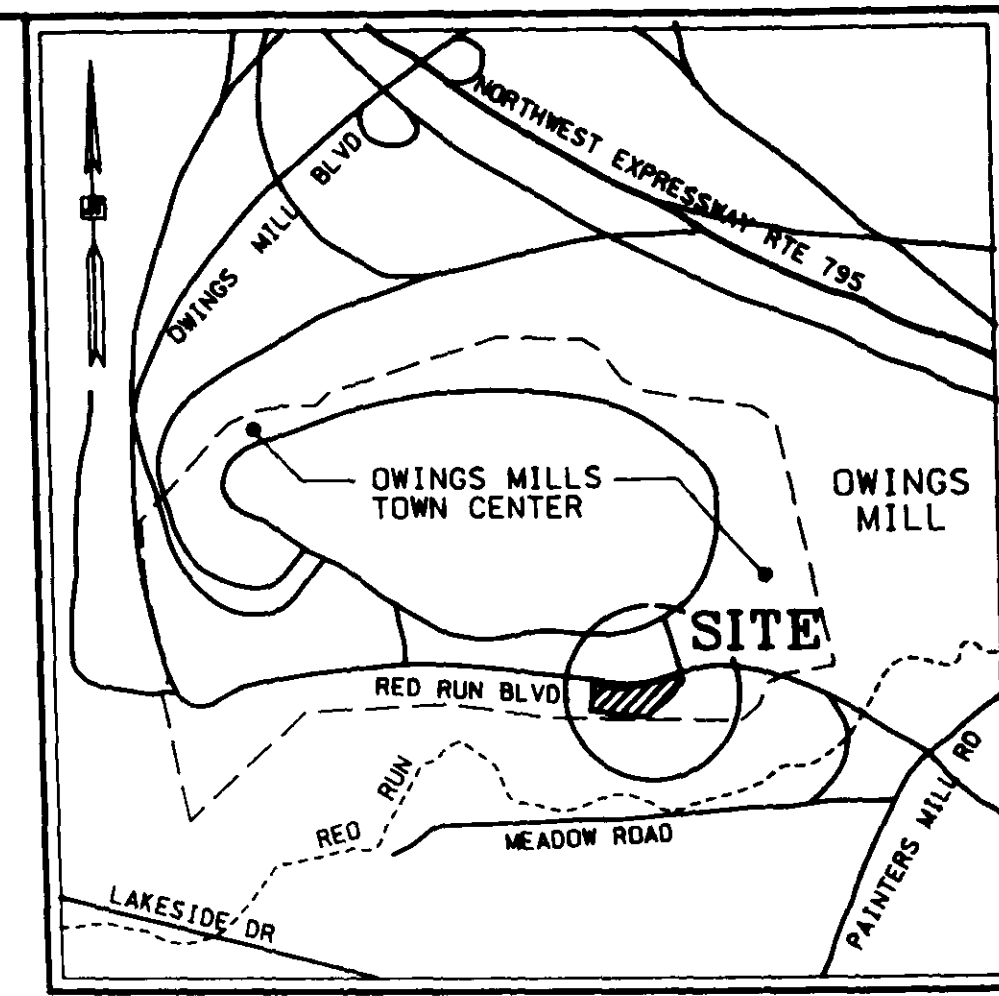
PLAN TO ACCOMPANY
SPECIAL EXCEPTION AND VARIANCE HEARING

EXXON COMPANY, U.S.A.
A DIVISION OF EXXON CORPORATION
Real Estate & Engineering

SITE PLAN
FOR AN EXXON STATION AT
RED RUN BOULEVARD
4th. ELECTION DISTRICT, BALTIMORE CO. MD

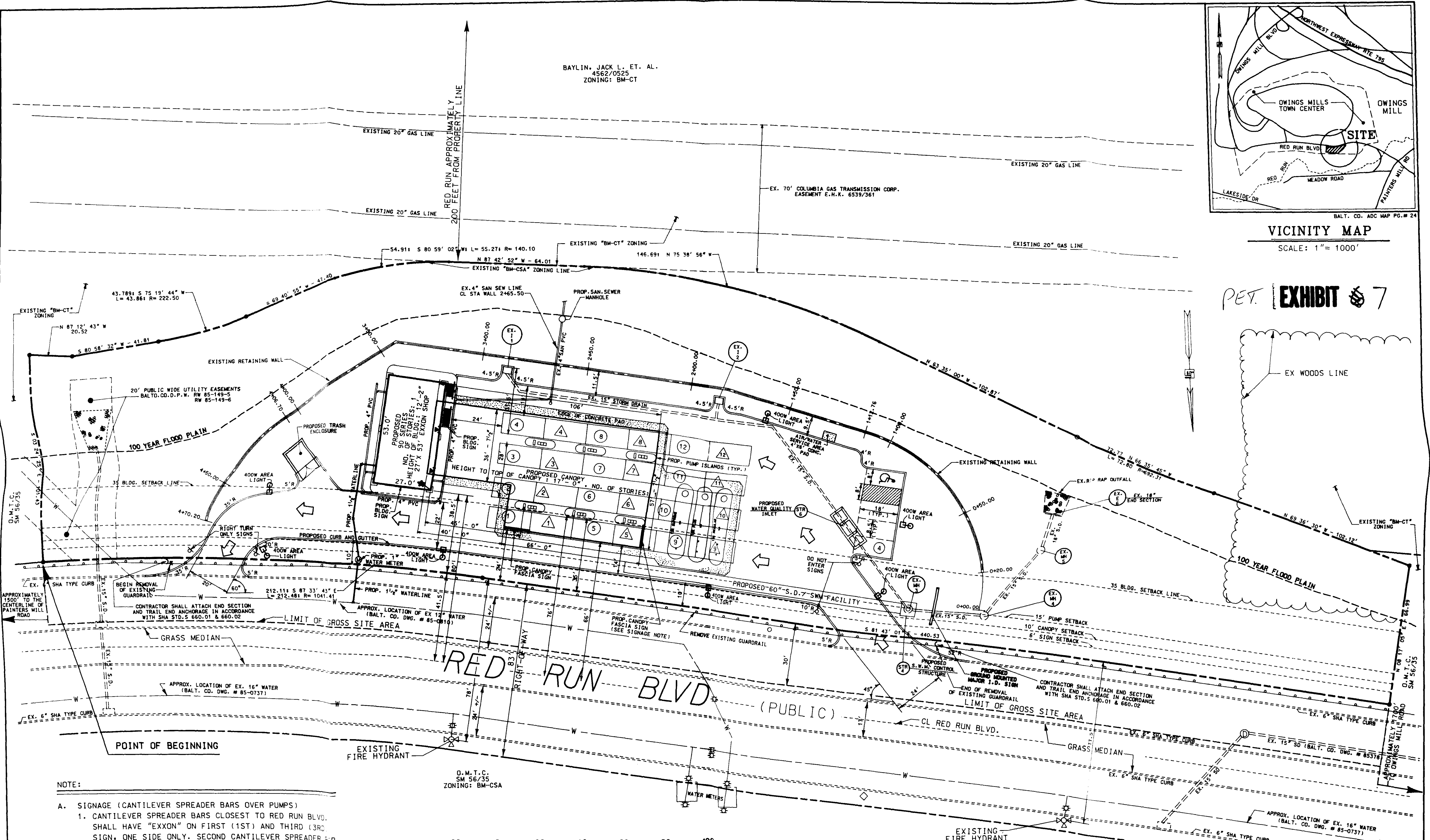
PROJECT NO.
91057
DISC. NO.
2-2 1992
RAS. NO.
2-4551
DWG. NO.
1 OF 4

BAYLIN, JACK L. ET. AL.
4562/0525
ZONING: BM-CT

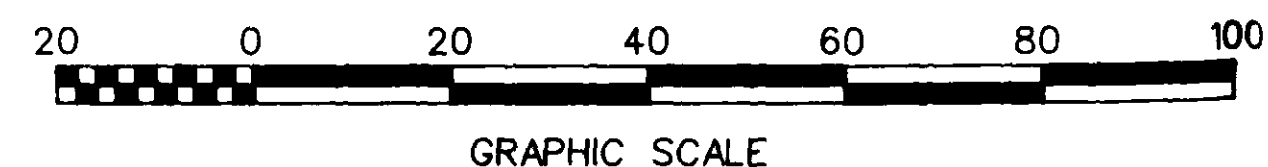


VICINITY MAP
SCALE: 1" = 1000'

PET. EXHIBIT 7



- NOTE:
- SIGNAGE (CANTILEVER SPREADER BARS OVER PUMPS)
 - CANTILEVER SPREADER BARS CLOSEST TO RED RUN BLVD. SHALL HAVE "EXXON" ON FIRST (1ST) AND THIRD (3RD) SIGN, ONE SIDE ONLY. SECOND CANTILEVER SPREADER BAR SHALL BE BLANK ON BOTH SIDES.
 - CANTILEVER SPREADER BARS OVER PUMPS CLOSEST TO THE RETAINING WALL SHALL BE BLANK ON BOTH SIDES.
 - LIGHTING
 - LIGHTS MUST NOT EXCEED THE MAXIMUM HEIGHT OF SIXTEEN (16) FEET.



APPLICANT / OWNER
EXXON COMPANY, USA
EXECUTIVE PLAZA II
11350 MCCORMICK ROAD
HUNT VALLEY, MD. 21031
ATTN: MR. DONALD FARRINGTON
PHONE: 301-785-6646

FREDERICK WARD ASSOCIATES INC.
ENGINEERS ARCHITECTS SURVEYORS
5 SOUTH MAIN STREET
BEL AIR, MARYLAND
(410) 879-2080
PO BOX 828
ELKTON, MARYLAND

DATE	REVISIONS	BY	CHK.	EXXON COMPANY, U.S.A.	PROJECT NO.
6-11-92	REVISE SIGNAGE, AREA LIGHT, PARKING LOCATIONS, REMOVE TELEPHONE PAD.	R.A.S.	T.F.W.	Marketing Department	91057
				DATE: 02/14/92	DISC. NO. 3-1000
				DRAWN BY: ROS	R.A.S. NO. 2-4551
				CHK. BY: TFW	DWG. NO. 1 OF 4
				SCALE: 1" = 20'	

PLAN TO ACCOMPANY
SPECIAL EXCEPTION AND VARIANCE HEARING

SITE PLAN

FOR AN EXXON STATION AT
RED RUN BOULEVARD
4th. ELECTION DISTRICT, BALTIMORE CO. MD